

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:10-00098

KELLI REED

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 25, 2016, the United States of America appeared by Erik S. Goes, Assistant United States Attorney, and the defendant, Kelli Reed, appeared in person and by her counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Lilla Adkins. The defendant commenced a three-year term of supervised release in this action on December 16, 2013, as more fully set forth in the Probation Revocation and Judgment Order entered by the court on October 28, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to submit monthly supervision reports for the months of August, September, October and November 2015; (2) the defendant failed to report to the probation officer as instructed on October 26, 2015, and her whereabouts were unknown to the probation officer at the time the petition was prepared on December 21, 2015; (3) the defendant failed to attend counseling sessions as directed by the probation officer at the rate of once monthly inasmuch as she failed to attend sessions on October 15 and 22, 2015, and failed to schedule counseling sessions for the months of November and December 2015; (4) the defendant failed to notify the probation officer of her change in employment inasmuch as on December 16, 2015, the probation officer contacted the defendant's manager and was informed that the defendant had not worked for the company since August 26, 2015; and (5) the defendant failed to make regular monthly payments of \$100 toward restitution as directed by the court inasmuch as her supervision commenced on December 16, 2013, and at the time of the filing of the petition on December 21, 2015,

she had paid a total of \$1,210 and was in arrears \$790, with a total remaining balance of \$10,725; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, to be followed by a term of thirty-three (33) months of supervised release upon the standard conditions of supervised release now in effect in this district by order

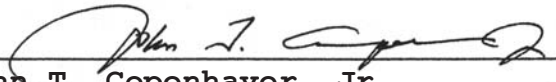
entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special conditions that she continue making payments at the rate of \$100 per month on the restitution obligation of \$10,107 and participate in mental health counseling as directed by the probation officer.

The defendant shall surrender for service of the sentence to the institution designated by the Bureau of Prisons by 2:00 p.m. on February 26, 2016, and shall remain on bond subject to the same terms and conditions as set forth in her previously executed bond.

Recommendation: The court recommends that the defendant be afforded a mental health screening upon intake and be permitted to continue on her current regimen of medication prescribed for depression or, alternatively, be prescribed medication for depression as deemed suitable by the Bureau of Prisons.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 2, 2016

  
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John T. Copenhaver, Jr.  
United States District Judge